

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Antonio U. Johnson,

Civil No. 07-1316 (DWF/AJB)

Plaintiff,

v.

**ORDER**

State of Minnesota,

Defendant.

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Antonio U. Johnson, *Pro Se*, Plaintiff.

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This matter is before the Court upon Plaintiff's self-styled "Case Study" filed on March 12, 2007 (Doc. No. 6) in response to Magistrate Judge Arthur J. Boylan's Report and Recommendation dated February 28, 2007, recommending that: (1) Plaintiff's Application to Proceed Without Prepayment of Fees be denied; and (2) that this action be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

**ORDER**

1. Plaintiff's self-styled "Case Study" (Doc. No. 6) in response to Magistrate Judge Arthur J. Boylan's Report and Recommendation dated February 28, 2007, is **DENIED**.

2. Magistrate Judge Arthur J. Boylan's Report and Recommendation dated February 28, 2007 (Doc. No. 4), is **ADOPTED**.

3. Plaintiff's Application to Proceed Without Prepayment of Fees, (Doc. No. 2), is **DENIED**; and

4. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii).

Dated: May 1, 2007

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court